

ORDINANCE 17-18

AN ORDINANCE TO AMEND ORDINANCE NO. 86-47, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRING HILL, BY REZONING 14.719 ACRES OF PROPERTY LOCATED ON PORT ROYAL ROAD, BEING MAURY COUNTY TAX MAP 043, PARCEL 011.04, FROM AG, AGRICULTURAL, TO R-4, HIGH DENSITY RESIDENTIAL.

(RZN 379-2017 DERRYBERRY)

WHEREAS, the City of Spring Hill Zoning Ordinance, the same being Ordinance No. 86-47, and the zoning maps therein adopted be, and the same are hereby amended by rezoning the property herein described as 14.719 acres of property, being Maury County Tax Map 043, Parcel 011.04, from AG, Agricultural, to R-4, High Density Residential; and

WHEREAS, said portion of property to be rezoned from AG to R-4 is located within the corporate limits of the City of Spring Hill; and

WHEREAS, the Spring Hill Municipal Planning Commission forwarded the request to the Board of Mayor and Aldermen on August 14, 2017 with a recommendation for approval; and

WHEREAS, that all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SPRING HILL, TENNESSEE, BOARD OF MAYOR AND ALDERMEN, to amend ordinance No. 86-47, the same being the zoning ordinance of the City of Spring Hill, by rezoning 14.719 acres of property, being Maury County Tax Map 043, Parcel 011.04, from AG, Agricultural, to R-4, High Density Residential, as follows, the public welfare requiring it.

SECTION 1 - The development of the site shall be substantially consistent with the following Exhibits:

Exhibit A: Concept Plan Sheet 1 of 2, dated 7/28/2017

Exhibit B: Concept Plan Sheet 2 of 2, dated 7/28/2017

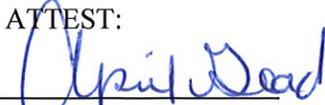
Exhibit C: Ole South Elevations, dated 7/25/2017

The rezoning of this site shall be subject to all City ordinances and regulations.



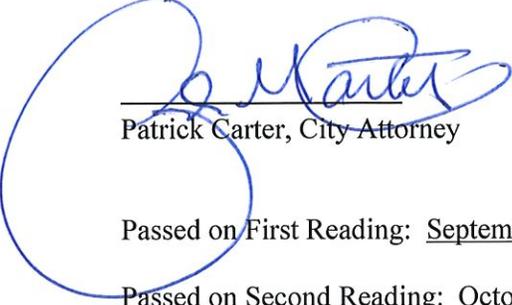
Rick Graham, Mayor

ATTEST:



April Goad, City Recorder

LEGAL FORM APPROVED:



Patrick Carter, City Attorney

Passed on First Reading: September 18, 2017

Passed on Second Reading: October 16, 2017

MEMORANDUM



DATE: September 5, 2017
TO: Board of Mayor and Aldermen (BOMA)
FROM: Steve Foote, Planning Director
Jon Baughman, Associate Planner
SUBJECT: ORD 17-18 (Derryberry Rezoning Request)

RZN 379-2017: Submitted by Anderson, Delk, Epps and Associates, Inc. for property located on Port Royal Road. The property is zoned AG, Agricultural, and contains approximately 14.719 acres. The applicant's amended request is to rezone from AG, Agricultural, to R-4, High Density Residential.

Request: The applicant requests to rezone the property in order to construct a townhome development consisting of 62 units. The proposed density is approximately 4.21 dwelling units per acre. The units may be sold or rented.

Property Description and History: This property is located south of Saturn Parkway on Port Royal Road near the intersection with Tom Lunn Road. Rutherford Creek flows through a portion of the property. The property was the subject of an annexation request that was favorably recommended to the Board of Mayor and Aldermen on April 10, 2017 by the Planning Commission (ANX 324-2017). The Board of Mayor and Aldermen approved the request on May 15, 2017 (Resolution 17-48). This proposal was originally submitted as a PZD, Planned Zoning District, rezoning request. At the July 24, 2017 Planning Commission work session, the applicant was encouraged to submit a R-4, High Density Residential, rezoning request. On August 14, 2017, the Planning Commission forwarded the rezoning request to the Board of Mayor and Aldermen with a recommendation of approval, subject to conditions. The minutes are excerpted below:

1. **RZN 379-2017:** Submitted by Anderson, Delk and Epps, Inc., for Port Royal Rd—Derryberry Property. The property is zoned AG, Agricultural District and contains approximately 14.719 acres. The applicant requests rezoning from AG, Agricultural, to R-4, High Density Residential.

Staff conditions:

1. Development of the site shall be substantially consistent with all submitted concept plans.
2. The developer shall provide sidewalk on both sides of all internal streets, unless modified by the Planning Commission. Amenities to be provided prior to final plat approval.
3. The developer shall construct or pay a fee in lieu for a sidewalk along Port Royal Road and a trail along Rutherford Creek.
4. The developer shall address all City Engineer's comments found below.

Engineering Conditions:

1. Proposed collector street shall show curb and gutter section.
2. Indicate roadway to be built minimum of 2-ft above 100-year flood elevation. Any fill within the floodplain should be balanced with cut areas of equal or greater volume. No fill within the floodway is allowed.
3. Turning path plan shows fire truck entering opposite lane on the collector road. Show a radius on the two entrance drives to accommodate fire truck access.

Alderman Fitterer made a motion to forward **RZN 379-2017** to the Board of Mayor and Alderman for approval with staff conditions. Motion seconded by Commissioner Hepp. Motion passed 7/0.

City of Spring Hill, Tenn.

Streets and Sidewalk: The concept plan indicates sidewalk on one side of the internal streets and the proposed collector. Per staff's request, the internal sidewalk extends to the southern property line to allow connection to a future trail. Staff recommends installation of sidewalks on both sides of all internal streets. Staff recommends sidewalk installation along the property's frontage on Port Royal Road or a fee in lieu of be assessed. Port Royal Road is an arterial and the applicant shows at least 47.5' of ROW from centerline.

Bulk and Area: At site plan or neighborhood concept plan submittal, the proposal shall comply with the requirements of the R-4 zoning district.

Parking: Proposed parking is in excess of two spaces per unit and compliant with the requirements of the City's zoning ordinance.

Landscaping and Buffering: The concept plan indicates substantial landscaping buffers adjacent to neighboring areas and the proposed collector road, excepting the floodplain areas. A detailed landscape plan shall be required at neighborhood concept plan or site plan submittal.

Bicycle and Greenway Plan: Port Royal Road is shown as a bike lane route in the plan. Staff recommends the applicant construct a bike lane or be assessed a fee in lieu of. The Rutherford Creek vicinity is shown as a greenway location in the plan. Staff recommends construction of a trail in this area. The applicant has indicated the dedication to the City of Spring Hill of adjacent flood plain areas to the north and south.

Building and Site Design: The proposed product will be similar to what is already constructed at Woodland Trace on Derryberry Lane. These units contain external materials consisting of HardiBoard and stone. Asphalt shingles should be noted as 'architectural'. The proposed materials and percentages are not specified and will be required at subsequent submittals. The developer proposes to install a pavilion, tot lot and picnic tables on site as amenities. Indicate this on the plans.

Spring Hill Rising: 2040: The Spring Hill Rising: 2040 comprehensive plan classifies the area as a Residential Neighborhood Area, an area that represents a transition between natural and rural settings and more intense environments. The development pattern in this area is characterized by low to moderate density residential subdivisions and traditional neighborhoods.

Summary: Staff supports the recommendation of the Planning Commission for approval of the rezoning, subject to the conditions listed above in this report.

City of Spring Hill, Tennessee
Planning Commission Agenda Application

199 Town Center Parkway, Spring Hill TN 37174
 (931) 486-2252 Fax: (931) 486-3596

FOR STAFF USE ONLY	
Date Application submitted: _____	Fee: _____
Date Accepted as complete: _____	Case number: _____
Map/Parcel: _____	Public hearing date: _____

Date: 07/07/17 Project Name: DERRYBERRY PROPERTY CONCEPT PLAN

Property Address/Location: PORT ROYAL ROAD
MAP 43, P/O PAR. 11.04

Current Zoning District(s): AGRICULTURAL (AG) Property Size: 14.719 AC ±
PROPOSED PZD

Type of request being made —	Materials required to be submitted with application
<input type="checkbox"/> Annexation	<input checked="" type="checkbox"/> Letter of request
<input checked="" type="checkbox"/> Rezoning	<input checked="" type="checkbox"/> Proof of ownership (<u>Booklet</u>)
<input type="checkbox"/> Major Modification	<input checked="" type="checkbox"/> Two (2) folded hard copies of the proposal, including all required information as outlined in the applicable checklist. <u>Including a vicinity map with an aerial image, the project boundaries outlined in yellow, names of all adjacent streets. Must show a minimum of 1/2 mile radius.</u>
<input type="checkbox"/> Minor Modification	<input checked="" type="checkbox"/> A CD containing a copy of all required submittal items in PDF format.
<input type="checkbox"/> Easement/Right-of-way Vacation	Note to the applicant:
<input type="checkbox"/> Sketch Plan	* Applications and all required submittals must be filed with the Planning Department by the established deadline.
<input type="checkbox"/> Neighborhood Concept Plan	* Both the applicant/representative and property owner must sign the application. Applications not signed by the property owner will not be accepted.
<input type="checkbox"/> Lot Split	* All applications must be accompanied by completed checklist.
<input type="checkbox"/> Property Line Adjustment	
<input type="checkbox"/> Preliminary Plat	
<input type="checkbox"/> Concurrent Plat	
<input type="checkbox"/> Final Plat	
<input type="checkbox"/> Site Plan	
<input type="checkbox"/> Master Development Plan (PUD) Preliminary/Final	
<input type="checkbox"/> Traditional Neighborhood Development	
<input checked="" type="checkbox"/> Other <u>REZONING TO PZD</u>	

APPLICANT OR REPRESENTATIVE:

I have read the attached checklist and have complied with all requirements listed and understand that this application may be deemed incomplete if the submittal misses any of the information listed. I also understand that other information may be requested by staff, Planning Commission and Aldermen during review relevant to the request.

JOE EPPS FOR
Name (printed): ANDERSON, DELL, EPPS & ASSOC., INC. Date: 06/28/17
Address: 618 GRASSMERE PARK DRIVE SUITE 4
NASHVILLE, TN 37211
Phone number: (615) 331-0809
Email: ANDERSONDELL@BELLSOUTH.NET
Signature: *Joe Epps*

PROPERTY OWNER(S) OR AUTHORIZED AGENT:

I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have read this application and consent to its filing. (If signed by the authorized agent, a letter from each property owner must be provided indicating that the agent is authorized to act on her/his behalf.)

JASON BEAVERS FOR
Name (printed): OLE SOUTH PROPERTIES, INC. Date: 6/29/17
Address: 262 ROBERT ROSE DRIVE SUITE 300
MURFREESBORO, TN 37129
Phone number: 615-692-2814
Email: jbeavers@olesouth.com
Signature: *JOB*
Name (printed): _____ Date: _____
Address: _____
Phone number: _____
Email: _____
Signature: _____

Fee Schedule

Site Plan

◆ Sketch Plan	\$100
◆ Nonresidential	\$100 + \$.01 per sq/ft of gross floor area *
◆ Residential	\$100 + \$10 per dwelling unit*
◆ Minor Modification	\$100
◆ Major Modification	\$100
◆ Extension	\$100
◆ Professional Consultant Review Fees	\$.02 per sq/ft of gross floor area—Nonresidential \$10 per dwelling unit—Residential

Subdivision Plat

◆ Neighborhood Concept Plan	\$200
◆ Property Line Adjustment	\$100
◆ Lot Split	\$200
◆ Preliminary Plat	\$100 + \$20 per acre + \$5 per lot
◆ Final Plat	\$25 + \$5 per lot
◆ Concurrent Plat	\$200 + \$5 per lot
◆ Minor Modification	\$100
◆ Major Modification	\$100
◆ Extension	\$100

Zoning Amendment

◆ Annexation	\$100
◆ Rezoning	<u>\$200</u> = \$200 ⁰⁰

Residential Planned Unit Development

◆ Master Development Plan	\$300 + 25 per acre
◆ Multi-Family Final Site Plan	\$100 + \$20 dwelling unit
◆ Extension	\$100

Commercial/Industrial Planned Unit Development

◆ Master Development Plan	\$500 + \$100 per acre
◆ Final Master Plan	\$25 + \$0.01 sq/ft. of gross building floor area
◆ Extension	\$100

* Professional Consultant Review fees are charged in addition to the Site Plan and Preliminary Plat.

le..... Nonresidential—-\$100+.03 per sq/ft of gross floor area

Residential —-\$100 + \$20 per dwelling unit

Exhibit B

Land Description for B-4 Zone (7.0 Acres) Ronnie D. Shelby Property

Being a tract of land lying in Council District 3 of Maury County, Tennessee, on the Ronnie D. Shelby property, (Tax Map 29, Parcel 3.00) as recorded in Deed Book 1387, Page 123, in the Register's Office of Maury County, Tennessee (R.O.M.C.) and being more particularly described as follows:

Beginning at the northwest corner of the aforementioned property in the southerly right-of-way of Beechcroft Road (State Route 247) and also being the northeast corner of the Janice M. Tatum property (Tax Map 24, Parcel 17.06) as recorded in Deed Book R2238, Page 1347 (R.O.M.C);

Thence, with the aforementioned right-of-way, the following three (3) calls and distances:

1. South 85 Degrees 02 Minutes 40 Seconds East, a distance of 156.34 feet to a point;
2. South 89 Degrees 17 Minutes 40 Seconds East, a distance of 168.74 feet to a point;
3. North 87 Degrees 49 Minutes 40 Seconds East, a distance of 182.14 feet to a point;

Thence, leaving said right-of-way, going over and across the Shelby property, the following two (2) calls and distances:

1. South 1 Degree 15 Minutes 45 Seconds East, a distance of 442.19 feet to a point;
2. South 73 Degrees 09 Minutes 11 Seconds West, a distance of 625.80 feet to a point in the dividing line of the Shelby and Tatum properties;

Thence, in a northerly direction, with the dividing line of the Shelby and Tatum properties, the following three (3) calls and distances:

1. North 5 Degrees 59 Minutes 11 Seconds West, a distance of 251.06 feet to a point;
2. North 21 Degrees 59 Minutes 30 Seconds East, a distance of 161.15 feet to a point;
3. North 11 Degrees 46 Minutes 07 Seconds East, a distance of 238.01 feet back to the Point of Beginning.

The above described B-4 Zone contains by description 305,397 SqFt (7.0 Acres) more or less.

Bearing and distances given hereon are based upon deed of record. Land description prepared by Mike Kindred and checked by Kenneth D. Church, R.L.S. #1004, CESO, Inc.

Exhibit C

Land Description for M-1 Zone (1.5 Acres) Ronnie D. Shelby Property

Being a tract of land lying in Council District 3 of Maury County, Tennessee, on the Ronnie D. Shelby property, (Tax Map 29, Parcel 3.00) as recorded in Deed Book 1387, Page 123, in the Register's Office of Maury County, Tennessee (R.O.M.C.) and being more particularly described as follows:

Beginning at a point that is in the southerly right-of-way of Beechcroft Road (State Route 247) and is located by the following three (3) calls and distances from the northwest corner of the Shelby property and the northeast corner of the Janice M. Tatum property (Tax Map 24, Parcel 17.06) as recorded in Deed Book R2238, Page 1347 (R.O.M.C.);

1. South 85 Degrees 02 Minutes 40 Seconds East, a distance of 156.34 feet to a point;
2. South 89 Degrees 17 Minutes 40 Seconds East, a distance of 168.74 feet to a point;
3. North 87 Degrees 49 Minutes 40 Seconds East, a distance of 182.14 feet to a point that is the True Point of Beginning for the M-1 Zoned Area;

Thence, continuing with the said right-of-way, North 87 Degrees 49 Minutes 40 Seconds East, a distance of 8.45 feet to a point;

Thence, leaving said right-of-way, going over and across the Shelby property, the following two (2) calls and distances:

1. South 1 Degree 15 Minutes 45 Seconds East, a distance of 650.00 feet to a point;
2. North 87 Degrees 33 Minutes 35 Seconds West, a distance of 612.52 feet to a point in the dividing line of the Shelby and Tatum properties;

Thence, leaving the dividing line of the Shelby and Tatum properties, going over and across the Shelby property, the following two (2) calls and distances:

1. North 73 Degrees 09 Minutes 11 Seconds East, a distance of 625.80 feet to a point;
2. North 1 Degree 15 Minutes 45 Seconds West, a distance of 442.19 feet back to the Point of Beginning.

The above described M-1 Zone contains by description 67,916 SqFt (1.5 Acres) more or less.

Bearing and distances given hereon are based upon deed of record. Land description prepared by Mike Kindred and checked by Kenneth D. Church, R.L.S. #1004, CESO, Inc.

